



SUBJECT: RECOMMENDATION REPORT
8180 - 8220 Bayview Limited Partnership, Applications for Official Plan Amendment and Zoning By-law Amendment to permit a mixed-use mid-rise building at 8190 to 8200 Bayview Avenue (Ward 1)
File PLAN 23 125307

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Stephen Lue, MCIP, RPP, Senior Development Manager, ext. 2520

RECOMMENDATION:

- 1) THAT the March 18, 2025, report titled, "RECOMMENDATION REPORT, "8180 - 8220 Bayview Limited Partnership, Applications for Official Plan Amendment and Zoning By-law Amendment to permit a mixed-use mid-rise building at 8190 to 8200 Bayview Avenue (Ward 1), File PLAN 23 125307", be received;
- 2) THAT the Official Plan Amendment application, submitted by 8180 - 8220 Bayview Limited Partnership, be approved and the draft Official Plan Amendment, attached as Appendix 'A', be finalized and brought forward to a future Council meeting to be adopted without further notice;
- 3) THAT the Zoning By-law Amendment application, submitted by 8180 - 8220 Bayview Limited Partnership, be approved and the draft Zoning By-law Amendment, attached as Appendix 'B', be finalized and brought forward to a future Council meeting to be enacted without further notice;
- 4) THAT servicing allocation for 512 units be assigned to the proposed development and the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within three (3) years from the date Council assigned servicing allocation;
- 5) THAT York Region be advised that servicing capacity for 512 units has been assigned;
- 6) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") applications (the "Applications") submitted by 8180 - 8220 Bayview Limited Partnership (the "Owner") to permit a mixed-use mid-rise development at 8190 to 8200 Bayview Avenue, which is located at the southwest intersection of Bayview Avenue and Romfield Circuit in Thornhill (the "Subject Lands") (see Figures 1 and 2). The Subject Lands are developed as an existing multi-unit two-storey commercial plaza with an approximate Gross Floor Area ("GFA") of 4,000 m².

The OPA and ZBA (Appendices 'A' and 'B', respectively) permit redevelopment of the Subject Lands as a mixed-use development containing 512 units and approximately 2800 m² to 3,841 m² of retail, commercial, and service use space on the ground and second floors (the "Proposed Development"), shown in Figures 3 and 4. The Proposed Development is oriented towards the Bayview Avenue frontage, with an eight-storey podium and two towers, each with a maximum height of 12-storeys. The Proposed Development has a GFA of approximately 68,000, m², resulting in a proposed density of 4.8 times the area of the Subject Lands (Floor Space Index – "FSI"). The OPA seeks permission to permit the proposed 12-storey building and density of 4.8 FSI, whereas the applicable 'Mixed Use Mid Rise' designation permits a maximum height of 8-storeys and density of 2 FSI. The ZBA implements site-specific development standards, including setbacks, building heights, and parking requirements.

The Proposed Development makes efficient use of land identified provincially, regionally, and locally for intensification. It would continue to provide retail, commercial and service uses to serve the surrounding area and residents with the proposed building. Additionally, the Subject Lands are in proximity to local community amenities and are situated on a York Region arterial road with access to transit service that connects to the Yonge/Finch TTC Subway Station. For these reasons, Staff opine that the proposed OPA and ZBA are appropriate and represent good planning.

PURPOSE:

This report recommends approval of the Applications to permit the Proposed Development on the Subject Lands (see Figures 1 to 2).

Process to Date:

- June 27, 2023: Staff deemed the Applications complete. The 120-day period set out in the *Planning Act* before the Owner can appeal the Applications to Ontario Land Tribunal (the "OLT") for a non-decision ended on October 11, 2023. Accordingly, the Owner can appeal the Application to the OLT
- November 7, 2023: the Development Services Committee ("DSC") received the Public Meeting Information Report and held the statutory Public Meeting, which was followed by the Owner's resubmission to address comments from the statutory Public Meeting and technical reviews
- October 8, 2024: Site Visit with the Local Ward 1 Councillor, area residents and Romfield Circuit Ratepayers Group, and City staff
- October 9, 2024: Local Ward 1 Councillor hosted a Community Information Meeting

If the DSC supports the Applications, then the planning process will include the following next steps:

- a) Adoption of the site-specific OPA and enactment of the site-specific ZBA at a future Council meeting
- b) Submission of a Site Plan Application to initiate the detailed technical review of the Proposed Development. The Owner, prior to the issuance of a Building Permit, will be required to enter into various agreements with the City including, but not limited to, Municipal Servicing, Affordable Housing, and Transportation Demand Management, and satisfy any financial obligations with the City, including cash-in-lieu of parkland dedication and Community Benefit Charges
- c) Submission of a future Draft Plan of Condominium application, if required

BACKGROUND:**Subject Lands and Area Context**

The 1.42 ha Subject Lands are developed with a multi-unit commercial shopping centre with an approximate GFA of 4,000 m² (See Figures 1 to 2), known as the *Bayview Lanes Plaza*. Surrounding land uses are shown in figure 2.

The Applications facilitate the Proposed Development (see Figures 3 and 4) and consists of 512 residential units and 3,841 m² of retail, commercial and service uses

The proposed building is oriented towards the Bayview Avenue frontage and is designed to respect the Official Plan angular plane policies to the abutting low-rise lands west of the Subject Lands with a density of 4.8 FSI. The Owner proposes commercial uses on the first and second floors that would be oriented for pedestrian access on Bayview Avenue and internally from the below grade parking. Vehicular access to the Proposed Development will be from two driveway locations: one onto Bayview Avenue and another onto Romfield Circuit. The access to Bayview Avenue, a York Region arterial road, will be required to be designed as a right-in and right-out driveway, as required by the Region. The proposed three levels of underground parking would consist of 964 spaces (681 residents; 283 shared between non-residential users and visitors) and supported by 17 proposed surface spaces (16 shared non-residential and visitor parking and one reserved for car-share) and surface lay-by pick-up/drop-off spaces and loading areas.

The Proposed Development is consistent with the Provincial Planning Statement, 2024 (the “2024 PPS”)

The 2024 PPS provides direction on matters of Provincial interest related to land use planning and development. These matters, in-part, include building strong healthy communities with an emphasis on efficient development and land use patterns, and wise use and management of resources. As well as building complete communities that optimize existing and new infrastructure to support growth, with a mix of land uses and housing options, having convenient access to a range of transportation options, and fostering an attractive and vibrant built form and public realm. The Subject Lands are designated for development in the Official Plan.

The Proposed Development conforms to the York Region Official Plan 2022 (“ROP”)

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) (“Bill 185”) received Royal Assent, which includes amendments to the *Planning Act*. Consequently, through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024. Pursuant to subsection 70.13(2) of the *Planning Act*, 2022 ROP is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The 2022 ROP designates the Subject Lands ‘Urban Area’ on Map 1 - Regional Structure and ‘Community Area on Map 1A – Land Use Designations, which permits a wide range of land residential, commercial, employment, and institutional land uses. The ‘Community Area’ are areas where many residents, personal services, retail, arts, culture, recreational facilities, and human-services needs would be located. The Owner proposes uses that are contemplated under the ‘Community Area’ designation and are considered compatible with the surrounding area.

The Owner proposes to amend the 2014 Official Plan (“2014 OP”) to permit the Proposed Development

The 2014 OP designates the Subject Lands Mixed Use Mid Rise, which permits residential, retail and service uses within three to eight storey buildings and a maximum density of 2 FSI. Approval of the draft OPA (Appendix ‘A’) would permit the Proposed Development by allowing a maximum height of 12-storeys and density of 4.8 FSI on the Subject Lands.

The Owner Proposes to Amend Zoning By-laws 2489 and 2024-19 to permit the Proposed Development with site-specific development standards, parking requirements, and building heights up to 12-storeys

The Subject Lands are currently zoned ‘Neighbourhood Commercial (NC)’ under By-law 2489, as amended, which permits a range of retail and office uses including banks, financial institutions, personal service shops, offices, retail stores, studios, agencies and salons, and dwelling units above stores in accordance with the ‘First Density Multiple Family Residential (RM1)’ zone within the By-law. The proposed ZBA (Appendix ‘B’) would rezone the Subject Lands into a ‘Mixed Use Mid Rise’ Exception Zone under By-law 2024-19, as amended, to permit the Proposed Development, including implementing site specific development standards related to building setbacks, density, parking, and height to reflect the 12-storey built form. The implementing ZBA requires a range of non-residential GFA between 2,800 m² to 3,841 m² to ensure the non-residential uses is provided on the ground floor of the building, with some on the 2nd floor to generally align with the existing amount of commercial space on the Subject Lands.

DISCUSSION:

This section identifies how matters raised through the review process, including those at the November 7, 2023, statutory Public Meeting, the October 8, 2024, site visit, and the October 9, 2024, Community Information Meeting have been resolved or considered, which included 25 deputations expressing concerns at the statutory Public Meeting, based on the following themes:

a) Proposed Height and Density, Privacy and Shadow Impact, Compatibility and Area Intensification

The initial submission considered at statutory Public Meeting (Figures 3 and 4) included a 15-storey ‘slab’ building, containing 631 units and a density of 4.76 FSI. The rear of the building stepped back to 7.7 m abutting the low-rise homes to the west. The site organization resulted in limited open-space amenity and landscape buffers, and two access points at Romfield Circuit.

To address concerns raised by area residents, members of the DSC, and Staff, the Owner redesigned the Proposed Development (see Figures 3 to 4) that included a reduced building height to 12-storeys, with a two-building component above the ninth floor that breaks the building mass. The Owner also reduced the number of units from 631 to 512. The Owner shifted the building towards Bayview Avenue, which resulted in a site organization that accommodates more on-site landscape and buffering between the Proposed Development and the surrounding area. The submitted shadow study demonstrates no impact to abutting homes, except during the morning hours at the Winter equinox (December 21). Staff opine that the revisions to the Proposed Development are appropriate for the Subject Lands that provide a mid-rise mixed-use development, as envisioned by the Official Plan. Consequently, Staff recommend approval of the Proposed OPA and ZBA, including a request to allow additional height and density up to 12-storeys and 4.8 FSI.

b) Traffic Congestion, Site Access, Pedestrian Safety, Emergency Response

Staff from the City's Transportation Planning Division and York Region have accepted the conclusion of the Owner's *Traffic Impact, Site Plan Review and Parking Study* (the "Transportation Study") that there will be minimal impact from the Proposed Development on the existing road network under current and future growth conditions. Consequently, the City and Region do not require any road widening conveyance from the Subject Lands for additional turning lanes to the Romfield Circuit and Bayview Avenue intersection, as requested by some residents.

Site Access is proposed from an all moves driveway on Romfield Circuit. Residents raised concern about the Romfield Circuit driveway not aligning with Stately Way, a private street north of the Subject Lands. This was addressed in the Transportation Study, concluding that the offset between existing and proposed driveway maintains sufficient gap space exists where in and out traffic on both the north and south sides of Romfield Circuit will not be impeded or significantly constrained by the Proposed Development. These findings are acceptable to City Transportation Staff.

Site Access to Bayview Avenue is proposed as a right-in-right-out driveway at the south side of the Subject Lands, as required by York Region and was considered during the review of the Applications. York Region requires signalization optimization of the Bayview Avenue and Romfield Circuit intersection, at the time of a future site plan application, to ensure that any improvements for vehicular traffic and pedestrian crossing align with the transportation conditions at the development stage. The Fire and Emergency Services Department has not identified concern with the Proposed Development and will also review the future Site Plan application to ensure access is in accordance with City requirements.

c) Parking

The Proposed Development includes residential parking rates of 1.2 spaces per unit and 0.25 spaces per unit for visitors, totaling 742 spaces. Non-residential parking rates are proposed at one space per 18.5 sq m (with 37 shared between visitor parking), requiring an additional 114 to 170 spaces between the minimum and maximum commercial uses, ranging between 2,800 m² to 3,841 m². These rates are acceptable to Transportation Planning Division Staff, based on the Owner's Transportation Demand Management ("TDM") strategies to reduce car usage. The TDM includes unbundled parking, bike repair stations, participation in the York Region's Transit Incentive Program, and a car share program. TDM strategies are secured as a Hold provision in the ZBA (Appendix 'B') and will be implemented via a TDM agreement at the future Site Plan stage.

d) Building Aesthetic, Provision of Landscape Buffers, Loading and Service Function, Floor Plate Size

These matters will be addressed through the future Site Plan application. As noted, the Owner modified the Proposed Development to improve the site configuration by orienting the building further away from low rise homes to west, adding more open-space amenity, and increasing landscape buffers (secured in the implementing ZBA in Appendix 'A'). This included improvements to the building setbacks along the south lot line to provide for a wider landscape strip to accommodate more plantings and maintain pedestrian connectivity through the Subject Lands to a laneway connecting to Hester Court to the west. Area residents cited concerns that the floor plates exceeded 800 m², which is an Urban Design guideline more for high rise buildings in podium and tower format, whereas the Proposed Development presents as mid-rise slab building. So, while the floor plates do exceed 800 m², the upper floor sizes were

reduced to respect the Official Plan angular plane policies to abutting lands designated as 'Residential Low-rise in the Official Plan; and in consideration of minimal shadow impact and a 12-storey building mass, staff have no concerns with the proposed floor plate sizes.

Through the future Site Plan application, Staff will ensure the servicing and loading function for the proposed non-residential uses, snow-storage and removal, municipal waste removal, and parcel delivery functions are appropriately provided.

d) Impact on Existing Infrastructure, School and Community Centre Capacity, Loss of Commercial Space

The Utility providers (Alectra Utilities, Enbridge, Rogers and Bell Canada) did not identify any concerns with the application. Similarly, the York District, York Catholic, and French public school boards, did not identify any concern with the Proposed Development. York Region District School Board ("YRDSB") confirmed that nearby *Thornlea Secondary School* has sufficient capacity to accommodate students from the development. YRDSB also commented that area-wide elementary schools are nearing capacity and students from the Proposed Development may need to attend other schools until additional accommodation becomes available, and that safe pedestrian and vehicle access to the school should be maintained during construction.

Concern was raised by an existing tenant at the Subject Lands about the loss of the existing Clinic serving the community. The implementing ZBA (Appendix 'A') requires a minimum non-residential GFA of 2,800 m² (which may be increased to approximately 3,800 m²) to ensure commercial uses are provided in the Proposed Development to accommodate, retail, service and other uses, including potential clinics.

The future Site Plan Application will address the following matters:

- a) Community Benefit Charges ("CBC") and Cash in Lieu (CIL) of Parkland
The Owner will be required to pay CBC, pursuant to the City's CBC By-law and Parkland CIL. Both the CBC and all CIL payments are to be paid prior to the issuance of a first building permit.
- b) Sustainability and Inclusion of Age-Friendly Features
The Owner will be required to comply with the City's sustainability metrics. Additionally, age-friendly measures will be reviewed and committed to in the future Site Plan.
- c) Affordable Housing
A commitment to the provision of affordable housing units has not been made through the Applications, but Staff will continue working with the Owner to determine if affordable housing units can be provided and secured at the Site Plan application stage.
- d) Design/aesthetic
The Owner will continue to work with the City, including input from the Markham Design Review Panel, on the sustainability and safety matters related to design of the Proposed Development, and will include matters of wind impact mitigation, accessibility, bird friendly, site servicing, and storm water management.
- e) Road and Intersection Improvements
Including York Region requirements to restrict Bayview Avenue access to right-in-right out only, and signalization optimization at Bayview Avenue and Romfield Circuit.

CONCLUSION:

Staff opine that the Applications are appropriate and represent good planning. The Proposed Development would make efficient use of land identified provincially, regionally, and locally for intensification. The building form, orientation, heights and mix of uses are appropriate for the Subject Lands and Staff recommend that the proposed amendments to the 2014 Official Plan and Zoning By-laws 2489 and 2024-19 as amended, be approved, with both implementing documents to be forwarded to Council for enactment.

FINANCIAL CONSIDERATIONS:

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Application aligns with the City's strategic priorities of managing growth and municipal services to ensure safe and sustainable communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications were circulated to various departments and external agencies and their requirements will be reflected in the implementing Official Plan and Zoning By-law Amendments (Appendices 'A' and 'B').

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director of Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS AND APPENDICES:

- Figure 1: Location Map
- Figure 2: Aerial Photo
- Figure 3: Conceptual Site Plan
- Figure 4: Elevation Renderings
- Appendix 'A': Draft Official Plan Amendment
- Appendix 'B': Draft Zoning By-law Amendment

AGENT:

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